

Remarks**I. Status of the Application**

Claims 39-59 are pending in the application. Claims 55-59 have been added.

II. Claim Rejections under 35 USC § 102(b)**A. Maloney**

Claims 39-44 and 46-53 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Maloney (US 5,555,299). The rejection is respectfully traversed.

The invention of claim 39 is directed to a method for fulfilling a request for concierge services received from a caller during a directory assistance call. The information assistance service provides to callers information about providers of goods or services, such as restaurants, theatres, etc., and may assist the callers in making reservations, purchasing products, etc., with/from such providers. In one embodiment, a call is received by an information assistance provider (specification, p. 25, lines 21-24), during which the caller requests assistance in selecting a provider of a product or service (p. 25, lines 21-24). For example, a frequent customer of the information assistance service may call and ask for a suggestion of an Italian restaurant in the town of "Cardiff by the Sea." (p. 25, lines 21-24). The operator accesses storage that stores information concerning the caller's previous selections of restaurants in Cardiff by the Sea (p. 28, lines 7-15), and selects a restaurant for the caller. The telephone number of the selected restaurant is retrieved from a database, such as a database of directory assistance information stored on a server (p. 28, lines 15-22), and the caller is connected thereto (p. 37, lines 11-15). The directory assistance service remains connected to the call, and after the caller's communication with the provider ends, the caller is reconnected to the directory assistance provider (p. 38, lines 14-38).

Maloney discloses a telephone order placement system for transferring calls between a plurality of call centers within a company (col. 2, lines 35-38). In the example provided, a caller calls a first call center within a company's private network and informs a first operator that he/she wishes to make two purchases - a first purchase from the company's apparel division, and a second purchase from the company's foods division (col. 9, lines 1-5). When the call is received at the first call center, a voice component and a data component are generated and are associated with the call by a unique identifier (col. 9, lines 46-54). The first operator assists the caller in making the first purchase. When the caller is transferred to a second call center (at which food sales are handled), the voice component and the data component are separately transmitted to the second data center, and reassembled to enable a second operator to continue the call (col. 9, lines 55-67). The second operator reviews the information in the voice and data components, and sees that the caller wishes to make a second purchase from the foods division (col. 10, lines 5-7). The operator then assists the caller in completing the second purchase.

Maloney does not teach or suggest the combination recited in claim 39. For example, in Maloney, after the call is sent to the second call center, the caller cannot return to a directory assistance system without terminating the call, as required by claim 39.

Maloney also fails to teach or suggest receiving from a caller a request for a suggestion of a provider of a product or service, as required by claim 39. Although Maloney discloses receiving a call from a customer who wishes to purchase "a winter coat from the apparel catalog and a selection of fine coffees from the gourmet food catalog" (col. 9, lines 1-6), at no point does the customer request a suggestion from the customer service representative. In fact, in the example provided, the customer clearly knew exactly what he/she wanted before making the call and had no need of any suggestions. Specifically, this customer wanted the pea coat having stock number ABC1234X (col. 9, lines 30-32), and the set of the selected imported coffees appearing

on page 29 of the January catalog (col. 10, lines 8-10).

In addition, the Examiner has not identified a teaching or suggestion in Maloney to retrieve from storage data concerning the manner in which a prior request was handled, as required by claim 39. As indicated in the Office Action, Maloney discloses displaying a customer's "record screen," which contains identifying information about the caller, such as the caller's name and address. In the example provided, the customer service representative then confirms the caller's address, and then asks the caller what he/she wishes to order. There appears to be no stored data in the record screen concerning a prior request nor any data concerning how such a prior request was handled, if any prior request was made at all.

Similarly, Maloney fails to teach or suggest utilizing retrieved data concerning a prior request to identify a product or service provider, as is also required by claim 39. Confirming a caller's address and merely asking a caller what he/she wishes to order is not the same as utilizing retrieved data concerning a prior request to identify a product or service provider, as claimed.

Accordingly, claim 39, together with its dependent claims (40-44), are patentable over Maloney.

Claim 46 has several features that are similar to those of claim 39. Specifically, claim 46 requires receiving from a caller a request for a suggestion of a provider of a product or service, and retrieving data concerning one or more prior requests by the caller. As discussed above, Maloney does not teach or suggest these features.

Maloney also does not teach or suggest assigning an "agent" in a directory assistance system, to communicate with a product or service provider on behalf of the caller to satisfy a request for a suggestion, as required by claim 46. As discussed above, there is no request for a suggestion. Furthermore, although it is asserted in the Office Action that the communication by the "software" to the foods division reads on this feature, this interpretation is erroneous because the "software" does not satisfy the current

request for a suggestion.

Therefore, amended claim 46, together with its dependent claims (47-53) are patentable over Maloney.

B. Anderson

Claim 39 was rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Anderson (US 5,757,904). The rejection is respectfully traversed.

Anderson discloses a method and apparatus for presenting information to a call center agent in a context-sensitive manner (Abstract). In a disclosed example, a call is received by an agent in a call center from a customer who previously made several airline reservations with the assistance of another agent (the “original agent”). The customer now wishes to change his reservation(s) (col. 4, lines 43-66). The system retrieves information pertaining to the customer’s previous call and determines that the call should be handled by the original agent (col. 5, lines 16-20). The system accordingly transfers the call to the original agent (col. 5, lines 30-41).

Nowhere does Anderson teach or suggest receiving a call that includes a request for a suggestion of a provider of a product or service, as required by claims 39 and 46. Anderson discloses only a caller requesting a change to his existing reservation with a specific airline. This caller does not ask the agent receiving the call for a suggestion.

In addition, Anderson fails to teach or suggest facilitating a communication between a caller and a product or service provider and allowing the caller to return to the directory assistance system without terminating the call after the caller communicates with the provider, as required by claim 39. Although Anderson provides an example of a caller being transferred to a second agent (col. 5, lines 42-50), the caller in this scenario does not “return” to a directory assistance system after the caller communicates with the provider, as required by claim 39. The caller does not “return” to anywhere at all. In fact, in the example provided, when the transaction with the caller is finished, the second agent

simply “hangs up the call.” (col. 7, lines 25-28). Moreover, there is no need for the caller to “return” to the first agent, for example, after the second agent has made the requested change to the caller’s airline reservations.

On the other hand, Anderson discloses attempting to transfer a caller to a second (more appropriate) agent within a call center and queuing the call, or not transferring the call at all, if the second agent is busy (col. 5, lines 30-41). However, in these scenarios the caller does not “return to the directory assistance system without terminating the call” after the caller communicates with the provider because the caller fails to actually communicate with the provider in the first place. Accordingly, claim 39 is patentable over Anderson.

Claim 46 was also rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Anderson. The rejection is respectfully traversed.

In a second example referred to by the Office Action, Anderson discloses a system for managing calls received by a company. When a call is received from a frequent caller, the caller’s record containing the caller’s connection history is retrieved (col. 8, lines 52-65). The present status of an employee with whom the caller has spoken most recently is displayed to a receptionist (col. 8, lines 66-67), and the receptionist informs the caller, for example, that the particular employee, whose name is “Shiela,” is busy (col. 9, lines 4-8). When the caller then requests an employee having a desired skill or knowledge, the receptionist searches for such an employee and automatically connects the caller thereto (col. 9, lines 4-29).

However, Anderson fails to teach or suggest assigning an agent who communicates with the product or service provider, as required by claim 46. For example, Anderson does not disclose assigning an agent who communicates with Shiela. In fact, in the example provided, Shiela is busy and cannot communicate with the caller (col. 9, lines 4-7). Moreover, there is no disclosure that the receptionist or anyone else communicates with Shiela either. It should be noted that even when an employee is

available, the receptionist does not communicate with the employee because the receptionist simply causes incoming calls to be “automatically transferred” (col. 9, lines 25-28).

Similarly, the subsequent example, in which the caller asks to be connected to an employee having a desired skill, does not provide any teaching or suggestion of the combination of features listed above. In this instance, the receptionist’s identification of an employee having the skill specified by the caller is not based on “data concerning one or more prior requests by the caller,” as required by claim 46. In this example also, there is no disclosure of assigning an agent who communicates with the product or service provider. Again, the caller is automatically transferred to the identified employee; no “agent” is ever assigned to communicate with the employee. Accordingly, claim 46 is also patentable over Anderson.

III. Claim Rejections under 35 U.S.C. 103(a)

Claims 45 and 54 were rejected as being allegedly unpatentable over Maloney in view of Marwell (US 6,404,884). Claims 45 and 54 have been amended. Amended claim 45 and 54 depend from amended claims 39 and 46, respectively. For reasons set forth above, amended claims 45 and 54 are patentable over the cited art; therefore amended claims 45 and 54 are also patentable over the cited art. The dependent claims also recite patentable limitations.

IV. New Claims

New claims 55-59 have been added. Claim 55 depends from claim 39 and additionally recites receiving from a caller a request for a suggestion of a third party provider of a product or service, wherein the third party provider is not associated with the directory assistance system. None of the cited references, individually or in combination, teaches or suggests the claimed combination.

New claim 56 depends from claim 39 and additionally recites receiving from storage data concerning the manner in which one or more prior requests made in a prior call were handled. None of the cited references, individually or in combination, teaches or suggests the claimed combination.

New claim 57 depends from claim 46 and additionally recites receiving from a caller a request for a suggestion of a third party provider of a product or service, wherein the third party provider is not associated with the directory assistance system. None of the cited references, individually or in combination, teaches or suggests the claimed combination.

New claim 58 depends from claim 46 and additionally recites receiving from storage data concerning the manner in which one or more prior requests made in a prior call were handled. None of the cited references, individually or in combination, teaches or suggests the claimed combination.

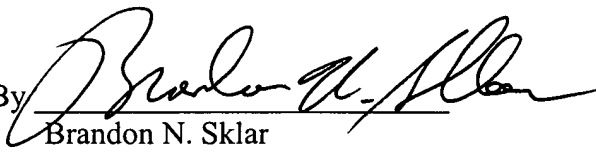
New claim 59 recites receiving from a caller a request for a suggestion of a third party provider of a product or service which is not associated with the directory assistance system, generating a record comprising the request, identifying a geographical region based on the record and transferring the record to a call center associated with the geographical region. A third party product/service provider which is not associated with the directory assistance system and is located in the geographical region is identified, and the caller is connected thereto. After the caller communicates with the third party provider, the caller is reconnected to the directory assistance system without the call being terminated. None of the cited references, individually or in combination, teaches or suggests the claimed combination.

No new matter has been added by the inclusion of new claims 55-59.

V. Conclusion

In view of the foregoing, each of claims 39-59, as amended, is believed to be in condition for allowance. Accordingly, consideration or reconsideration of these claims, as appropriate, is requested and allowance of the application is earnestly solicited.

Respectfully submitted,

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